

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1, 3, 5-7, 9-10, 12, 14-15, 18-25, and 30-32 were pending in the application, of which Claims 1, 18, and 32 are independent. In the Final Office Action dated May 12, 2009, Claims 18-25 and 30-31 were rejected under 35 U.S.C. § 101 and Claims 1, 3, 5-7, 9-10, 12, 14-15, 18-25, and 30-32 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1, 3, 5-7, 9-10, 12, 14-15, 18-25, and 30-32 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 101

In the Final Office Action dated May 12, 2009, the Examiner rejected Claims 18-25 and 30-31 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claim 18 has been amended and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

II. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Final Office Action, the Examiner rejected Claims 1, 3, 5-7, 9-10, 12, 14-15, 18-25, and 30-32 under 35 U.S.C. § 103(a) as being unpatentable over "Outlook 2000 In a Nutshell: A Power User's Quick Reference," 2000 ("Syroid") in view of "Sam's Teach Yourself Microsoft Office Outlook 2003 in 24 Hours," 2003 ("Poremsky"), Microsoft Outlook Screenshots, 2000 ("Outlook"), and U.S. Patent No. 6,101,485

("*Fortenberry*"). Claims 1, 18, and 32 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "providing a preview of the electronic mail message generated by the subscription alert, wherein providing the preview of the electronic mail message generated by the subscription alert comprises providing the preview of the electronic mail message in the reading pane." Amended Claims 18 and 32 each include a similar recitation. Support for these amendments can be found in the specification at least on page 15, lines 1-21.

In contrast, and as stated by the Examiner, *Syroid* at least fails to disclose receiving an alert subscription. (See Office Action page 4, lines 10-12.) Consequently, because *Syroid* does not disclose receiving an alert subscription, *Syroid* cannot disclose providing a preview of an email associated with the received subscription alert. Accordingly, *Syroid* fails to disclose providing, in a reading pane, a preview of an email associated with an alert subscription.

Furthermore, *Poresmky* does not overcome *Syroid*'s deficiencies. For example, *Poresmky* discloses setting filtering conditions and selecting actions that a user may want to apply to messages that meet the set conditions. (See pages 2-3, Figures 14.6-14.7.) Nowhere does *Poresmky* disclose alert subscriptions, much less providing previews of emails associated with alert subscriptions. Rather, *Poresmky* discloses setting rules for filtering email messages.

Moreover, *Outlook* does not overcome *Syroid's* and *Poresmky's* deficiencies. For example, *Outlook* discloses that, while viewing a message, an option to create a rule is provided. (See Figure 3.) When the option to create a rule in *Outlook* is selected, message context is populated to create a condition based on the message context. (See Figure 4.) Nowhere does *Outlook* disclose alert subscriptions, much less providing previews of emails associated with alert subscriptions. Rather, *Outlook* discloses rule creation provisions based on an option's selection.

Finally, *Fortenberry* does not overcome *Syroid's*, *Poresmky's*, and *Outlook's* deficiencies. For example, *Fortenberry* merely discloses allowing a shopper to fill out and submit an order directly from an e-mail solicitation. (See col. 1, lines 58-60.) Like *Syroid*, *Poresmky*, and *Outlook*, nowhere does *Fortenberry* disclose alert subscriptions, much less providing previews of emails associated with alert subscriptions. Rather, *Fortenberry* merely discloses an extended capability for electronic solicitation referred to as an e-flyer. (See col. 1, lines 61-62.)

Combining *Syroid* with *Poremsky*, *Outlook*, and *Fortenberry* would not have led to the claimed invention because *Syroid*, *Poremsky*, *Outlook*, and *Fortenberry*, either individually or in any reasonable combination, at least do not disclose "providing a preview of the electronic mail message generated by the subscription alert, wherein providing the preview of the electronic mail message generated by the subscription alert comprises providing the preview of the electronic mail message in the reading pane," as recited by amended Claim 1. Amended Claims 18 and 32 each include a similar recitation. Accordingly, independent Claims 1, 18, and 32 each patentably distinguish

the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 18, and 32.

Dependent Claims 3, 5-7, 9-10, 12, 14-15, 19-25, and 30-31 are also allowable at least for the reasons described above regarding independent Claims 1 and 18, and by virtue of their respective dependencies upon independent Claims 1 and 18. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 3, 5-7, 9-10, 12, 14-15, 19-25, and 30-31.

III. Conclusion

Applicants respectfully request that this Amendment After Final be entered by the Examiner, placing the claims in condition for allowance. Applicants respectfully submit that the proposed amendments of the claims do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicants respectfully submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing, Applicants respectfully submit that the pending claims, as amended, are patentable over the cited references. The preceding arguments are based only on the arguments in the Final Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the

Final Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

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